

**Middlesex Borough Planning Board  
1200 Mountain Ave., Middlesex, NJ 08846  
Minutes  
March 25, 2015**

**1. Call to Order**

Chairperson Andy Galida called the meeting to order at 7:32p.m.

**2 .Open Public Meeting Act Statement**

Chairperson Galida read the Open Public Meeting Act statement.

**3. Call to Order**

Upon voice count the following members were present- Al Lowande, Andy Galida, Jim Green, Robert Schueler, Ron DiMura, Patrick Corley, Paul Woska, and Michele Tackach.

Also in attendance Ms. Kelly Carey, Board Attorney, Mr. Paul Ricci Board Planner and Mr. Robert Bucco Jr., Board Engineer.

**4. Minutes**

Member Green made a motion to approve the February 11, 2015 meeting minutes, seconded by Member Schueler. Vote: All in favor. Motion passed.

**5. Redevelopment Ordinance 1871-15**

The Governing Body asked the Planning Board to review the Ordinance 1871-15 which recommends the properties in the Redevelopment Zone that are individually owned could use the underlying zoning instead of following the Redevelopment Plan.

Mr. Ricci stated that this Ordinance was initially recommended by the Planning Board then referred to the Governing Body after listening to the property owners concerns during the Lincoln Blvd Redevelopment Study.

This Ordinance was now back at the Planning Board for an approval.

Member Schueler made a motion to accept Ordinance 1871-15,seconded by Member Green. Vote: Member Lowande-yes, Chairperson Galida-yes, Member Green-yes, Member Schueler- yes. Member DiMura-yes, Member Corley-yes. Member Woska-yes, Member Tackach- yes. Motion passed.

## **6. New Business**

**P2015-01**

**Minor site plan**

**Thomas Zuber**

**600 Lincoln Blvd.**

**Block 316 Lot 8**

Mr. Whitelaw stated that he would be representing Mr. Zuber.

Mr. Whitelaw stated that the applicant has a Brewing Co. and having a tasting room is an associated use.

Ms. Carey duly swore in Mr. Thomas Zuber.

The Board and Mr. Whitelaw reviewed the waivers, the Board had no objections to granting the waivers and Mr. Bucco stated he would like to hear more testimony regarding the signs proposed.

Mr. Zuber stated that the applicant would not have a freestanding sign but the building would be painted and each window would have a letter in it to spell BREWERY.

Member Schueler questioned the applicant if he had plans to rent any more spaces in the building.

The applicant stated that he is currently renting Building A, and currently does not have plans to rent any other buildings.

The applicant stated the he is the owner of Zuber Brewing and has a limited brewery license to manufacture and distribute his product.

Mr. Zuber stated the application for a brewing license had been amended in 2012 to make it easier for Breweries in NJ.

Mr. Zuber stated that the beers have to be brewed on site and there would be no food sales.

Mr. Zuber stated that currently there are only two employees, he would be brewing the beer and his wife would be managing the tasting room.

Mr. Zuber described the brewery layout and Exhibit A1 (3/25/15) was entered into the record containing 2 sheets; sheet 1 shows the overall layout of the building, sheet-2 shows the tasting room section with the bar seats.

Mr. Zuber stated the proposed hours of the tasting room would be from 5pm to 10pm Monday to Friday and on the weekend the hours would be 12 noon to 10pm. He would like to have 2 employees, 1 to give the tour and 1 to work behind the bar.

Mr. Zuber stated that the raw products ( grain, hops, and yeast) are delivered once a month.

Mr. Zuber stated that he would be delivering the final product in person with his own vehicle and eventually would like to get a box truck.

Mr. Zuber stated that the limited landscaping outside would be beer barrel planters with hops growing in it.

Mr. Zuber stated that currently the building is painted light grey color with black trim and the building would be painted a dark grey color with black trim.

Mr. Zuber stated that the company image would be painted on the overhead door and the word Brewery on a small door.

Chairperson Galida opened up the meeting for questions to the applicant from Board Members.

Member Lowande questioned if the applicant would be expanding his hours.

Mr. Zuber stated that he would not be expanding his hours, in fact he might have to remove hours if they are not busy.

Mr. Zuber stated that he currently has 3 accounts set up in town.

Mr. Woska questioned if there would be any bottling at the site.

Mr. Zuber stated possibly in the future he would bottle the beer but there is a mobile canning truck that can come to the site which is what he would use.

Mr. Ricci questioned the percentage of business that craft beer has this this is a unique business for Middlesex Borough.

Mr. Zuber stated that there has been a 20% increase in craft beers sales over the past few years and it is predicated to increase every year.

Chairperson Galida questioned if there would be any odors.

Mr. Zuber stated that there would be a slight bread odor.

Mr. Ricci questioned if the applicant would be selling any retail merchandise.

Mr. Zuber stated that there would be sales of t-shirts, key chains etc.

Mr. Ricci questioned the sign size.

Mr. Zuber stated that the sign would be hand painted and would be willing to reduce the letters in the windows.

Mr. Zuber stated that there would be no lighting over the letters.

Member Lowande questioned how he would sell the product at the bar.

Mr. Zuber stated that he would sell 4-4oz glasses on paddles for a nominal fee.

Chairperson Galida opened the meeting to the public for questions for Mr. Zuber.

There being no questions from the public, Ms. Carey duly swore in Mr. Gazzale of Fisk Associates.

The Board accepts Mr. Gazzale as an expert witness.

Mr. Gazzale stated he reviewed the site plan and stated:

- square footage of the building
- the 4 bulk variance that are currently existing
- explained paved access and proposed paving of portion of the driveway
- handicapped parking space
- black top depth
- trash enclosure on a concrete pad

- trash enclosure to be board on board fence
- building mounted lights
- man door in front of the building
- existing utilities.

The Board then reviewed the Engineer's Report dated February 6, 2015.

The Board started with page 3 site comments, the handicapped parking space will be van accessible and there are 10 parking space.

The applicant will pave enough of the site for the required parking spaces and the pavement specs were discussed and Mr. Gazzale agreed with Mr. Bucco's suggestion on the depth.

Mr. Bucco recommended that the entire site be paved instead of having a stone area which makes the site look incomplete.

Mr. Whitelaw stated that the owner of the property was here and this issue was a lease/owner issues.

Ms. Carey duly swore in Mike Rosenthal the owner of 600 Lincoln Blvd.

Mr. Rosenthal stated that he intends to pave the rest of the area.

The Board stated that this would be a condition of approval.

The Board discussed that the trash enclosure would be board on board fencing.

Chairperson Galida questioned what type of waste materials would there be.

Mr. Zuber stated the grains would be given to farms so that it would be used to feed livestock.

Chairperson Galida asked that the recycled grain be kept secure so that no animals in the area would be able to get to.

Mr. Gazzale continued with the engineer's report, the drainage, handicapped parking space will have proper signage, the applicant will post performance bonds, applicant already applied to Freehold Soil and Middlesex County.

The Board questioned the direction of drainage on the site.

Mr. Gazzale stated that site drains to a westerly direction.

The Board questioned if there was fencing along the back of the property along the Conrail line.

Mr. Gazzale stated that there is a 6ft high fence.

Member Schueler questioned the impervious coverage, the unisex bathroom, and the removal of the bollards on the site.

Mr. Rosenthal stated in regards to the removal of the bollards, he had talked to the fire department regarding the removal of post indicator valve, that it currently does not work, and is going to get a flat valve.

Member Woska questioned if vehicles would be able to park over the flat valve

Mr. Gazzale stated that no vehicles would be able to park over the valve it would be in the travel way in front of the building.

Chairperson Galida opened the meeting to public for questions to the Engineer.

There being no questions for the Engineer, the Board stated that the applicant will return with the few changes regarding landscaping, signage, paving and bollards to be added to the plans.

The applicant will return to the Board on April 22, 2015.

**P2015-02**

**Minor Subdivision**

**150 Lincoln Blvd LLC**

**150 Lincoln Blvd**

**Block 348 Lot 1.01**

Mr. Vignuolo from Clarkin and Vignuolo P.C will be representing 150 Lincoln Blvd LLC.

Mr. Vignuolo stated that in 2011 his clients had received approval for consolidation of 5 Lots into 1 Lot for building 2 four story apartment buildings.

Mr. Vignuolo stated that this subdivision would allow the applicant to secure funding for the project and have it completed in 2 phases, that there are no variances being requested, there would be 2 tax lots.

Mr. Vignuolo stated that the applicant has agreed to voluntary conditions.

Ms. Carey stated that Mr. Albert Cruz, Redevelopment Attorney had reviewed these conditions.

Ms. Carey duly swore in Mr. Tungto Lam.

Mr. Lam gave his education and credentials.

The Board accepted Mr. Tam as an expert witness.

Mr. Tam gave an overview of the subdivision.

The Board reviewed Mr. Ricci report.

Member Schueler questioned if this would affect the pilot agreement.

The applicant will comply with the prior agreement.

Mr. Bucco stated that the subdivision will allow for bonding of the project into 2 separate bonds.

Chairperson Galida opened the meeting for questions to the Engineer, there being none proceeded the meeting.

Member DiMura questioned if the applicant will be able to sell the lots separately.

The applicant will not be able to sell separately due to the Redevelopment Agreement.

The Board discussed the subdivision.

Member DiMura made a motion to grant the subdivision with the conditions, seconded by Member Woska. Vote: Member Lowande-yes, Chairperson Galida-yes, Member

Green-yes, Member Schueler-yes, Member DiMura-yes, Member Corley-yes, Member Woska-yes, Member Tackach-yes. Motion passed.

## **7. Correspondence**

### **A. Professional Service Contract Signature**

Chairperson Galida signed the contract for the Board Attorney's Services.

### **B. MCUA-107 Harris Ave**

The MCUA (Middlesex County Utility Authority) sent a notification to the Planning Board regarding an application for fuel sales at 107 Harris Ave. The Board discussed this notification.

### **C. Email Communications**

Ms. Carey reminded Board Members not to respond to any Planning Board emails with a reply all.

### **D. Letter from the Attorney to Ms. Palumbo**

Ms. Carey stated that she had sent a letter to Ms. Palumbo regarding 421 Lincoln Blvd and also sent a letter to the Municipal Court. Ms. Carey stated that the Board is judicial not enforcement.

### **E. Fisk Associates Letter**

Chairperson Galida tabled the letter to the next meeting.

### **F. County Resolution 2015-03**

Ms. Carey stated that the Resolution was a standard annual Resolution sent by the County.

Ms. Carey stated that she had an update on the Raritan Ave Bridge project and that the bridge would be worked on during the fall.

### **G. Financial Disclosure Statements**



The Board Clerk reminded the Board Members that the Financial Disclosure Forms would be coming out soon and to be aware of the deadlines.

## **8. Board Member Comments**

Chairperson Galida stated that he had been emailed a question regarding an indoor pistol range in Middlesex which he had forward to the Board Clerk and did not advise the person.

Member Green questioned if the Drake Ave subdivision from last year was proceeding.

Member DiMura stated that he had heard the builder had backed out of the project.

Chairperson Galida opened the meeting to the public.

John Hoffman, 455 Lincoln Blvd stated his concerns with the drainage at the Brewery. He stated his concerns regarding enforcement issues, stated that the Dollar General on Lincoln Blvd looks out of place. He also stated Resolutions are not being followed and there are problems with the County and Lincoln Blvd being a County Road. Mr. Hoffman stated his concerns with the subdivision of 150 Lincoln Blvd and the pilot program.

There being no further business Member Lowande made a motion to adjourn the meeting at 9:34 pm, seconded by Member Schueler. Vote: All in favor. Meeting adjourned.

---

Secretary

---

Clerk

